

Applicant Initiated Interview Request Form

Application No.: 09/901,279 First Named Applicant: Kimikazu Fujita
Examiner: Shepard, Justin E. Art Unit: 2623 Status of Application: OA after RCE

Tentative Participants:

(1) Chris Kelley (2) Justin Shepard
(3) Joe Price (4) _____

Proposed Date of Interview: _____ Proposed Time: Earliest Convenience (AM/PM)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc.)	Claims / Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>1</u>	<u>Eldering</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

Please see Attachment A.

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant / Applicant's Representative Signature

Joseph W. Price

Typed/Printed Name of Applicant or Representative

25,124

Registration Number, if applicable

Examiner / SPE Signature

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kimikazu Fujita

Serial No.: 09/901,279

Filed: July 9, 2001

For: BROADCASTING APPARATUS,
BROADCASTING METHOD,
PROGRAM RECORDING MEDIUM,
AND PROGRAM THAT PROVIDE
INTERACTIVE OPERATION
IMMEDIATELY AFTER
REPRODUCTION START

Patent Examiner: Shepard, Justin E.

Group Art Unit: 2623

Confirmation No. 7575

February 25, 2009

Costa Mesa, California 92626

ATTACHMENT A

TO REQUEST FOR TELEPHONE INTERVIEW

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

For the purposes of a telephone conference, please see the proposed amendments to
Claim 1.

IN THE CLAIMS:

1. (Currently Amended) A broadcasting apparatus that broadcasts a specific program to which a reproduction time period between a starting time and a finishing time is specified, the reproduction being performed by a receiving apparatus to display the specific program in the reproduction time period, the broadcasting apparatus comprising:

5 allotment unit ~~operable to allot~~ allocating a broadcasting bandwidth for the reproduction time period to the specific program and allotting a part of the broadcasting bandwidth for a preceding time period immediately before the reproduction time period to the specific program and the other part of the broadcasting bandwidth to another program, so that the part of the broadcasting bandwidth ~~for the preceding time period allotted to the specific program~~
10 is narrower than the other part of the broadcasting bandwidth ~~allotted to another program~~, the preceding time period being longer than a time period that is necessary for transmitting a program data of the specific program at least once ~~more than once~~ during the part of the broadcasting bandwidth for the preceding time period allotted to the specific program;

script generation unit ~~operable to generate~~ generating (a) when the receiving
15 apparatus receives an event message for instructing storage, a script of instruction for the receiving apparatus to store ~~for storing~~ program data of the specific program in a storage unit of the receiving apparatus, and (b) when the receiving apparatus receives an event message for instructing reproduction, a script of instruction for the receiving apparatus to perform the reproduction to display ~~reproduce~~ the program data of the specific program in a case where the
20 program data of the specific program has been stored in the storage unit, each ~~script~~ of the scripts being automatically stored when the receiving apparatus receives the script;

an event message generation unit ~~operable to generate~~ generating the event message for instructing storage and the event message for instructing reproduction;

transmission unit ~~operable to transmit~~ transmitting a normal program that includes
25 a video stream and an audio stream, and further in accordance with the result of allotment by the allotment unit, (a) repeatedly multiplex program data of the other program with the normal program based on a data carousel transmission method and transmit resultant [[a]] first multiplexed result data ~~while multiplexing the program data of the specific program and the script with the normal program and transmitting a second multiplexed result in prior to the~~
30 preceding time period, [[and]] (b) repeatedly multiplex [[the]] program data of the specific program, the program data of the other program, and the script with the normal program based on the data carousel transmission method and transmit [[the]] resultant second multiplexed data result in the ~~reproduction~~ preceding time period[;], and (c) repeatedly multiplex the program data of the specific program and the script with the normal program based on the data carousel
35 transmission method and transmit resultant third multiplexed data in the reproduction time period; and

control unit ~~operable to control~~ controlling the transmission unit to repeatedly transmit event message for instructing storage in the preceding time period and to transmit the event message for instructing reproduction at the starting time,

40 wherein the specific program has the program data that relates to a commercial message which is inserted in the normal program, and

the reproduction time period of the specific program is the same as a broadcast time period of the commercial message.

REMARKS

The issues we wish to be addressed in the telephone interview are:

1. Whether we have adequately addressed, in our Claim 1, specific distinguishing features as modified to terminology "script instruction" and event messages since we were not provided a copy of the cited "Microsoft Computer Dictionary" in the Office Action.
2. Whether we have adequately responded to the 35 USC § 101 non-statutory subject matter rejection by our cited support in the Specification on Pages 11 and 26 and Figures 1, 5, and 9.
3. Whether we have adequately provided information on ISO/IEC 13818-1 § 2.4.4 Standard on a Program Map Table and have amended our claims sufficiently to provide a difference by our claimed definition of scripts that we use to distinguish over the Eldering reference.

Finally, Applicant has filed two separate RCEs and wishes to inquire if there is any suggestion from the Primary Examiner on patentable features that have not been defined adequately under the interim rules of KSR in our attached claim.

Very truly yours,

SNELL & WILMER L.L.P.



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